

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

MICHAEL R. ELLERD,)
LINDA EDWARDS,)
v.) 3:10-0133
MICHAEL J. ASTRUE, Commissioner of)
Social Security)

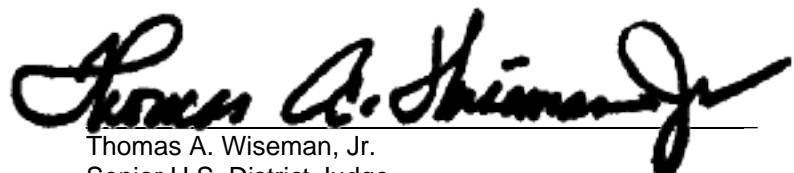
O R D E R

Before the Court is Defendant's Motion To Dismiss for Lack of Jurisdiction and Failure to State a Claim upon which relief can be granted.

No response has been filed by either Plaintiff. The complaint by Linda Edwards was not filed within the time allowed by law and there does not appear to be any ground for equitable tolling. Mr. Ellerd's claim is dependent upon that of Ms. Edwards and further, this claim is not compensable under the Social Security Act.

Defendant's Motion to Dismiss, Document #12, is **GRANTED**.

It is so **ORDERED**.



Thomas A. Wiseman, Jr.
Senior U.S. District Judge